

## Message Text

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ACTION IO-14

INFO OCT-01 EUR-12 ISO-00 AF-10 ARA-10 EA-10 NEA-10  
CIAE-00 DODE-00 PM-05 H-01 INR-07 L-03 NSAE-00  
NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 HA-05  
TRSE-00 /118 W  
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R 122358Z JAN 78  
FM USMISSION USUN NEW YORK  
TO SECSTATE WASHDC 9060  
INFO AMEMBASSY OTTAWA  
AMEMBASSY WARSAW  
USMISSION GENEVA

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E.O. 11652: N/A  
TAGS/ SHUM  
SUBJECT: GETTING READY FOR THE HUMAN RIGHTS COMMISSION MEETINGS:  
THE DRAFT CONVENTION AGAINST RELIGIOUS INTOLERANCE

1. AT INSTIGATION OF SEVERAL OF THEM, MISOFF MET JANUARY 12 WITH FIVE REPRESENTATIVES OF RELIGIOUS NGOS, REPRESENTING PROTESTANT, CATHOLIC AND JEWISH GROUPS, ABOUT THE DRAFT DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF. THEY URGED THAT THE DRAFTING OF THIS DECLARATION BE GIVEN A VERY HIGH PRIORITY BY THE USG AT THE UPCOMING MEETING OF THE HUMAN RIGHTS COMMISSION (HRC). MISOFF SUGGESTED THAT THE PROBLEM IS ONE OF NEGOTIATING, AND THAT THERE IS LITTLE WAY THE USG CAN FORCE THE PROCESS. THERE FOLLOWED A HELPFUL SERIES OF SUGGESTIONS.

2. RABBI LEWIN PROPOSED THAT A MULTI-FAITH GROUP OF NCOS DRAFT A SUBSTANTIALLY ABBREVIATED VERSION OF THE DUTCH TEXT, AND PRESENT IT TO MANY GOVERNMENTS. THE GROUP AGREED TO CONVENE SUCH A GROUP ASAP, IF FEASIBLE. LEWIN'S DRAFT IS REPRODUCED IN LIMITED OFFICIAL USE

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PARA 5 BELOW TO SEE IF DEPARTMENT WOULD SUPPORT SUCH AN ABBREVIATED TEXT.

3. THE TWO CATHOLIC REPRESENTATIVES AGREED TO 1) CONTACT THE HOLY SEE TO URGE WIDER CONSULTATION WITH OTHER RELIGIOUS NGOS BEFORE GENEVA, 2) TO CONTACT THE JUSTICE AND PEACE COMMISSION (CATHOLIC) REPS IN OTTAWA TO SEE IF THEY WOULD TALK

TO AMBASSADOR BEAULNE (CANADIAN REP TO HRC, CHAIRMAN OF WORKING GROUP ON THIS DRAFT, CANADIAN AMBASSADOR TO UNESCO, THIS WEEK IN OTTAWA FOR CONSULTATIONS ON UPCOMING HRC MEETING) TO SEE IF HE HAD ANY IDEAS ABOUT HOW THE PROCESS COULD BE FACILITATED, AND 3) CONTACT THE REPS ON THE HOLY SEE IN WARSAW TO SEE IF THEY COULD PERSUADE THE POLISH GOVERNMENT (A NEW MEMBER OF THE HRC, TAKING THE PLACE OF BEYORUSSIA SSR WHICH TRADITIONALLY TOOK THE LEAD FOR THE EASTERN BLOC IN NEGOTIATING THIS DRAFT) TO SEEK TO FACILITATE THE PROCESS.

4. MISOFF TOLD GROUP THAT STRATEGY WOULD BE DISCUSSED AT THE UPCOMING MEETING OF THE LIKE-MENDEDS WHO ARE MEMBERS OF THE HRC, AND PROBABLY CALL A MEETING OF ALL INTERESTED HRC MEMBERS IN NEW YORK IN JANUARY JUST TO DISCUSS ISSUES IN THE DRAFTING.

5. THE RELIGIOUS NGOS SUGGESTED THAT THE WORK PROGRAM AT GENEVA MIGHT BE SPEEDED UP IF A THREE MEMBER INFORMAL WORKING GROUP (A WESTERN, A NON-ALIGNED, AND A EASTER BLOC) WERE TO MEET TO NEGOTIATE EXTENSIVELY BEFORE PRESENTING THEIR RESULTS TO THE WORKING GROUP OF THE WHOLE. THEY ALSO SUGGESTED THAT IF THE DRAFT DECLARATION IS NOT ADOPTED THIS YEAR AT THE HRC THAT PERHAPS THE HRC COULD ESTABLISH IN ITS RESOLUTION AD HOC WORKING GROUP OF SOME OF THE MEMBERS OF THE HRC TO MEET PERIODICALLY IN NYC OR IN GENEVA IN THE INTERVAL BETWEEN MEETINGS OF THE HRC, TO NEGOTIATE A DRAFT TO PRESENT TO THE HRC.

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QUOTE

TEXT OF AN "INTERNATIONAL DECLARATION ON THE ELIMINATION OF ALL FORMS OF RELIGIOUS INTOLERANCE" PROPOSED BY DR. ISAAC LEWIN.

ART. 1. DISCRIMINATION BETWEEN HUMAN BEINGS ON THE GROUNDS OF THEIR RELIGION OR BELIEF IS A DENIAL OF THE PRINCIPLES OF THE CHARTER OF THE UNITED NATIONS AND A VIOLATION OF THE HUMAN RIGHTS PROCLAIMED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS.

ART. 2. NO STATE SHALL MAKE OR TOLERATE ANY DISCRIMINATION IN THE TREATMENT OF PERSONS ON GROUNDS OF THEIR RELIGION OR BELIEF.

ART. 3. NO INDIVIDUAL OR GROUP SHALL BE SUBJECTED ON THE GROUND OF RELIGION OR BELIEF TO ANY DISCRIMINATION IN THE EXERCISE OR ENJOYMENT OF THE HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS PROCLAIMED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS.

ART. 4. NO STATE SHALL MAKE OR TOLERATE DISCRIMINATION BASED ON RELIGION ON BELIEF IN THE FIELD OF CIVIL RIGHTS AND ACCESS

TO CITIZENSHIP, EDUCATION, EMPLOYMENT, OCCUPATION AND HOUSING.

ART. 5. EVERYONE IS FREE TO WORSHIP IN PUBLIC AND IN PRIVATE  
AND, IN ASSOCIATION WITH OTHER PERSONS LIKE RELIGION OR BELIEF,  
TO ESTABLISH AND TO MAINTAIN HOUSES OF WORSHIP, RELIGIOUS  
SCHOOLS AND CHARITABLE INSTITUTIONS FOR RELIGIOUS PURPOSES.

ART. 6. EVERYONE HAS THE RIGHT TO FORM AND TO MAINTAIN, IN  
ASSOCIATION WITH OTHERS, RELIGIOUS CONGREGATIONS, TO TRAIN MINI-  
STERS AND TEACHERS OF HIS RELIGION, AND IS FREE TO HAVE CONTACTS  
WITH COMMUNITIES AND INSTITUTIONS BELONGING TO THE SAME RELIGION  
OR BELIEF BOTH WITHIN THE COUNTRY AND ABROAD.

ART. 7. EVERYONE HAS THE RIGHT TO OBSERVE HIS RELIGIOUS  
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PRACTICES INCLUDING THE DIETARY PRACTICES PRESCRIBED BY HIS  
RELIGION OR BELIEF.

ART. 8. RECOGNITION SHALL BE GIVEN BY LAW TO THE PRESCRIPTIONS  
OF EACH RELIGION OR BELIEF RELATING TO HOLY DAYS AND DAYS OF  
REST, AND ALL DISCRIMINATION IN THIS REGARD BETWEEN PERSONS OF  
DIFFERENT RELIGIOUS OR BELIEFS SHALL BE PROHIBITED.

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AMEMBASSY WARSAW  
USMISSION GENEVA

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ART. 9. RECOGNITION SHALL BE GIVEN BY LAW TO THE RIGHTS OF VERY RELIGIOUS GROUP TO DISSEMINATE ITS TEACHING BY PUBLICATION OF RELIGIOUS BOOKS AND TEXTS.

ART. 10. WHERE THE STATE CONTROLS THE MEANS OF PRODUCTION AND DISTRIBUTION, IT SHALL MAKE AVAILABLE THESE MEANS TO THE RELIGIOUS GROUPS FOR THE PRODUCTION AND DISTRIBUTION OF RELIGIOUS ARTICLES, INCLUDING THOSE NECESSARY FOR DIETARY PRACTICES.

ART. 11. THE STATE SHALL GIVE LEGAL PROTECTION TO PLACES OF WORSHIP, CEMETERIES AND RITUAL OBJECTS, AND GIVE FREE ACCESS TO RELIGIOUS SHRINES AND HOLY PLACES TO VISITORS AND PILGRIMS.

ART. 12. RECOGNITION SHALL BE GIVEN BY LAW TO THE PRESCRIPTIONS OF THE RELIGION OR BELIEF CONCERNING THE BURIAL OF A DECEASED PERSON.

ART. 13. RECOGNITION SHALL BE GIVEN BY LAW TO THE PRINCIPLE THAT THE PARENTS OR, WHEN APPLICABLE, LEGAL GUARDIANS HAVE THE LIMITED OFFICIAL USE

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RIGHT TO DECIDE UPON THE RELIGIOUS EDUCATION OF MINOR CHILDREN. IN THE CASE OF A CHILD WHO HAS BEEN DEPRIVED OF ITS PARENTS, THE EXPRESSED OR PRESUMED WISH OF THE PARENTS SHALL BE DULY TAKEN INTO ACCOUNT.

ART. 14. RECOGNITION SHALL BE GIVEN BY LAW TO THE PRINCIPLE THAT NO ONE SHALL BE COMPELLED TO TAKE AN OATH OF A RELIGIOUS NATURE CONTRARY TO HIS CONVICTIONS.

ART. 15. ALL INCITEMENT TO HATRED OR ACTS OF VIOLENCE, WHETHER BY INDIVIDUALS OR ORGANIZATION, AGAINST ANY GROUP OF PERSONS BELONGING TO A RELIGIOUS COMMUNITY SHALL BE PUNISHABLE BY LAW.

ART. 16. EVERY STATE SHALL PROMOTE RESPECT FOR AND OBSERVANCE OF RELIGIONS TOLERANCE AND SHALL UNDERTAKE ALL NECESSARY MEASURES IN ORDER TO IMPLEMENT FULL FAITHFULLY AND WITHOUT DELAY THE PRINCIPLES CONTAINED IN THIS DECLARATION, AS BASED ON THE NATURAL RIGHTS OF EVERY HUMAN BEING.

UNQUOTE  
LEONARD

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## Message Attributes

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